

## **REMARKS**

### **Regarding the Claim Amendments:**

Applicants propose cancelling allowable but objected-to claims 31 and 40, without prejudice or disclaimer of their subject matter; and amending claims 23 and 34 to incorporate allowable subject matter recited in now-cancelled claims 31 and 40, respectively. Upon entry of this Amendment after Final, claims 23-28, 30, 32-37, 39, and 41-44 are pending and under examination.

### **Regarding the Final Office Action:**

Applicants respectfully traverse the following rejections and objections made in the Final Office Action, wherein the Examiner took the following actions:

- (1) rejected claims 23-25, 30, 33, 34, 39, and 42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,666,655 ("*Ishikawa*") in view of U.S. Patent Application Pub. No. 2002/0150050 ("*Nathanson*"), and further in view of U.S. Patent Application Pub. No. 2003/0053424 ("*Krishnamurthy*");
- (2) rejected claims 26-28, 32, 35-37, 41, 43, and 44 under 35 U.S.C. § 103(a) as being unpatentable over *Ishikawa* in view of *Nathanson* and *Krishnamurthy*, and further in view of U.S. Patent Application Pub. No. 2005/0088318 ("*Liu*"); and
- (3) objected to claims 31 and 40 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Rejections of the Claims under 35 U.S.C. § 103(a):**

Applicants have amended independent claims 23 and 34 to incorporate the allowable subject matter recited in now-cancelled claims 31 and 40, respectively. Therefore, claims 23 and 34, as well as claims 24-28, 30, 32, 33, 35-37, 39, and 41-44 dependent from claim 23 or 34, are in condition for allowance. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections.

**Regarding the Objection to Claims 31 and 40:**

The objection to claims 31 and 40 is moot due to their cancellation.

**Conclusion:**

Applicants respectfully request that this Amendment after Final under 37 C.F.R. § 1.116 be entered by the Examiner, placing all pending claims 23-28, 30, 32-37, 39, and 41-44 in condition for allowance. Further, entry of this Amendment after Final would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

The Final Office Action contains a number of statements reflecting characterizations of the cited references and the related claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any such statements.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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By: 

David M. Longo  
Reg. No. 53,235

/direct telephone: (571) 203-2763/